

**TROTWOOD CITY COUNCIL EMERGENCY
MEETING MINUTES
JANUARY 6, 2010**

CALL TO ORDER:

The Trotwood City Council met in an Emergency Meeting on Wednesday, January 6, 2010 at the request of 3 Council Members and knowledge of all Council Members. The Emergency Meeting began at 6:00 p.m. in the Trotwood Community Center, 4000 Lake Center Drive, Trotwood, Ohio. Mayor Darreyl D. Davis asked everyone to join in the Pledge of Allegiance.

ROLL CALL

COUNCIL MEMBERS PRESENT: Vice-Mayor Joyce Sutton Cameron, Council Member Bettye L. Gales, Council Member Rap Hankins (Absent – Out of Town in D.C. at an NLC Board Meeting), Council Member Mary A. McDonald, Council Member Barbara J. Staggs, Council Member Ronald Vaughn, and Mayor Darreyl D. Davis.

STAFF MEMBERS PRESENT: City Manager Michael J. Lucking, Law Director Steve McHugh, Police Captain John Porter and Clerk of Council Lois M. Singleton.

VISITORS:

William Krest, Julia Powell, Bob Powell, Bruce Kettelle (Totally Trotwood), Joseph McDonald, Nancy Marino, James S. Burton, Marjorie Townes, H. Crist (Trotwood P.D.), and Octavia Clay.

LAW DIRECTOR STEPHEN McHUGH TO SUMMARIZE THE OHIO INSPECTOR GENERAL REPORT/STONEHENGE FINDINGS AND MAKE RECOMMENDATIONS:

The Office of Inspector General released a report on January 5, 2010. The investigation began on receipt by the Ohio Department of Transportation of an anonymous complaint alleging Mayor Davis conducted personal and political business while employed by O.D.O.T. The Office of Inspector General secured from O.D.O.T. records of Mayor Davis' electronic appointment calendars, e-mail records, records of phone usage and his leave usage history. The Inspector General's report addressed three areas of concern: 1) Darreyl D. Davis conducted personal and political business during his O.D.O.T. work day. 2) Potential Conflicts of interest. 3) Breach of confidentiality. Allegation 1) Mayor Davis conducted City of Trotwood business and personal business during the time he was employed and paid by O.D.O.T. Allegation 2) concerns potential conflict of interest by Mayor Davis which involved The Stonehenge Company. The Inspector General questions the transaction and Davis role in the transaction. Allegation 3) concerns a breach of confidentiality by an employee of the Ohio Department of Health, in disclosing information to Ms. Sheila Edwards. This individual appears to have no connection to the City of Trotwood.

The Executive Summary of the Investigation found: No Trotwood City Officials, aside from Mayor Davis, were aware that she (Edwards) was involved in the project. It is important to restate the Inspector General found no other City Officials were aware of Ms. Edwards involvement in the transaction. The Inspector General writes with respect to the transaction that: "By essentially playing both sides of the deal without disclosing it, Davis created at the very least the appearance of impropriety." The Inspector General report found with respect to the allegation: "reasonable cause to believe a wrongful act of omission occurred in this instance." Based on these conclusions, copies of the report have been forwarded to the Montgomery County and Franklin County Prosecutor's Office, the Columbus City Prosecutor's Office and the Ohio Ethics Commission. These agencies have not had an opportunity to review and respond to the report. The response by these four (4) entities cannot be known at this time and it would be inappropriate to speculate on the outcome of each entities review of this report. It is important that no action be taken by the City of Trotwood that impedes the work of the three Prosecutors' and the Ohio Ethics Commission.

I recommend the following: 1) A review of the transaction between the City of Trotwood and The Stonehenge Company is authorized. 2) The City's review should focus on The Stonehenge Company transaction for Phase I. 3) Pending this review, the City not accept the Company's proposal for Phase II. 4) Finally, I recommend that the City allow the three Prosecutors' and the Ohio Ethics Commission time to review and respond to the report. In light of necessary further review and investigation of this matter, I strongly recommend no further discussion by Council at this time and I request authorization to proceed.

MOTION OF THE TROTWOOD CITY COUNCIL TO AUTHORIZE THE LAW DIRECTOR TO PROCEED: Mrs. Staggs moved to authorize the Law Director to proceed as requested, and seconded by Mr. Vaughn. Roll call resulted in 6 yes votes, and the Motion was approved unanimously.

Mrs. McDonald is concerned with the City and the dollars to be spent on the matter. Mrs. McDonald will have other questions as part of the authorization that the Law Director will undertake. Mrs. Gales thinks Council has given approval for The Stonehenge Company, Phase II. Authorization has been given to the City Manager to negotiate a contract, but that has not occurred at this time.

MOTION TO ADJOURN:

Mrs. Staggs moved to adjourn the Emergency Meeting at 6:10 p.m., and seconded by Vice-Mayor Cameron. Roll call resulted in 6 yes votes, and the Motion was approved unanimously.

ATTEST:

APPROVED:

Lois M. Singleton, Clerk of Council

Darreyl D. Davis, Mayor